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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
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Agenda item 5

THE IMPLEMENTATION OF THE HUMAN RIGHTS OF WOMEN

Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch,
Mr. Chernichenko, Ms. Daes, Mr. Diaz Uribe, Mr. Eide,
Mr. Fix Zamudio, Mr. Guissé, Mr. Joinet,
Mr. Lindgren Alves, Mr. Mehedi, Mr. Park, Ms. Warzazi,
Ms. McDougall and Mr. Yimer: draft resolution

1997/... Implementation of the human rights of women and the girl child
The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Recalling its resolution 1996/21 of 29 August 1996 on the implementation
of the human rights of women and the girl child,

Emphasizing that the human rights of women and of the girl child are an
inalienable, integral and indivisible part of universal human rights,

Welcoming General Assembly resolution 51/65 of 12 December 1996, in
which the Assembly expressed its particular concern for the problem of
violence against women migrant workers,

Recalling the outcomes of the World Conference on Human Rights held in
Vienna from 14 to 25 June 1993 (A/CONF.157/23), the International Conference
on Population and Development held in Cairo from 5 to 13 September 1994
(A/CONF.171/13), the Copenhagen Declaration on Social Development and the

Programme of Action of the World Summit for Social Development held in Copenhagen from 6 to 12 March 1995 (A/CONF.166/9), and the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women held in Beijing from 4 to 15 September 1995 (A/CONF.177/20),

Bearing in mind the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women,

Emphasizing that the production and use of statistics disaggregated by gender should be promoted as a fundamental tool for identifying and monitoring the participation of women in economic, political and social spheres, including education, management, and policy- and decision-making,

Welcoming the work and noting with appreciation the reports of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy and of the Special Rapporteur of the Sub-Commission, Ms. Halima Embarek Warzazi, on traditional practices affecting the health of women and children, the latest of which are contained in documents E/CN.4/1997/47 and Add.1-4 and E/CN.4/1997/10 and Add.1, respectively,

Deeply concerned at the continuing reports of grave abuses and acts of violence committed against women, and that some groups of women are especially vulnerable to acts of discrimination, violence and abuse based on gender, including women belonging to minority groups, indigenous women, refugee women, migrant workers, women living in rural communities, women living in poverty, women with disabilities, elderly women, women in situations of armed conflict and girl children,

Convinced of the need to eliminate all forms of sexual violence and sexual exploitation, including trafficking for the purposes of prostitution, other forms of commercial sex, domestic labour and servile forms of marriage, which are violations of the human rights of women and girl children and are incompatible with the dignity and worth of the human person,

Affirming that all violations of the human rights of women in situations of armed conflict, including in particular murder, systematic rape, sexual slavery and forced pregnancy, are flagrant violations of international human rights and humanitarian law,

Recognizing that the advancement of women in the process of development requires a further elaboration of international principles of equality regarding inheritance laws and practices,

1. Requests that, where appropriate, future studies submitted to the Sub-Commission include gender-disaggregated statistics and discuss ways in which gender affects the various forms of abuse to which women are subjected, the consequences of those abuses, the availability and accessibility of remedies, the relationship between the abuses suffered by women and the subordinate status of women in public and private life, any gaps in existing international standards of protection and gender-specific recommendations to remedy these violations;

2. Urges Governments and non-governmental, national and international organizations to collect and disseminate gender-disaggregated statistics and indicators to monitor the representation and participation of women at all levels of political, economic and social life, with special attention to the impact of the multiple barriers faced by many women who exist at the intersection of discrimination, based on race, gender and poverty;

3. Calls upon Governments to promote and support the elimination of biases in educational systems to counteract gender segregation of the labour market, enhance the employability of women and effectively improve women's skills and broaden women's access to career choices, in particular in science, new technologies and other areas of potential expansion of employment;

4. Also calls upon Governments to measure and value through existing and improved mechanisms the unpaid work of women, such as work in agriculture, food production, voluntary work, work in family businesses, natural resource management and domestic work, in order to evaluate fully the economic contributions of women;

5. Urges Governments to take increased measures to ensure that the economic and social rights of women are being fully promoted and implemented through their equal access to economic resources, including land, property rights and credit and savings schemes, such as women's banks and cooperatives;

6. Also urges Governments to undertake measures to harmonize national legislation and customary and traditional practices with international principles of equality with respect to the right of inheritance of women and girls;

7. Further urges Governments, in order to prevent and eliminate all forms of violence against women and girls, to adopt measures for the effective implementation of the Declaration on the Elimination of Violence against Women and to ensure just and effective remedies and compensation to victims, taking into special consideration women who are at high risk of violence, such as women migrant workers, refugee women and women in conflict situations;

8. Urges all Governments to ensure that protection against gender-based crimes is adequately reflected in all aspects of the Statute and Rules that are currently being negotiated for an International Criminal Court, and in particular that the crimes of rape, widespread or systematic rape, sexual slavery, forced prostitution and other gender-based crimes are addressed throughout the principles, definitions, and rules of evidence and procedure for an International Criminal Court;

9. Calls upon all Governments that have not yet done so to ratify the Convention on the Elimination of All Forms of Discrimination against Women, without resort to reservations that are contrary to the object and purpose of the Convention or otherwise incompatible with international treaty law;

10. Also calls upon Governments to criminalize trafficking in women and girls in all its forms and to condemn and penalize all offenders, including persons acting under governmental authority and intermediaries, whether their offences were committed in their own or in a foreign country, while ensuring that the victims of these practices are not penalized;

11. Calls upon the multilateral financial institutions to take into consideration in developing structural adjustment policies the need of developing countries to allocate funds to ensure the economic and social advancement of women;

12. Calls upon the Secretary-General to take all steps necessary to ensure that the Committee on the Elimination of Discrimination against Women has equal status and resources with other human rights treaty monitoring bodies and to strengthen coordination among these bodies through the systematic exchange of information and the convening of future round tables to explore gender issues of common concern;

13. Urges the Secretary-General, in cooperation with the Office of the Special Adviser on Gender Issues and the Advancement of Women, to take the necessary steps to strengthen the function of the Focal Point for Women and to ensure the full implementation of the strategic plan of action for the improvement of the status of women in the Secretariat and in particular, to fulfil his target of having women hold 50 per cent of managerial and decision-making positions by the year 2000 as reaffirmed by the General Assembly in resolution 51/67 of 12 December 1996;

14. Fully supports the request of the Commission on the Status of Women that the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees, the Special Rapporteur on violence against women and all other relevant rapporteurs and working groups, including treaty body experts, be invited to participate in the discussion at the forty-second session of the Commission on the Status of Women on the critical areas of concern "human rights of women" and "the girl child";

15. Supports the decision of the Commission on the Status of Women, at its forty-first session, to renew the mandate of the in-session open-ended working group on the elaboration of a draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women and urges the working group to accelerate its consideration of the development of an optional protocol;

16. Decides to consider more fully the implications of the Beijing Platform for Action for the work of the Sub-Commission in such areas as women and poverty, the role of women in global development and the promotion of human rights, as well as additional measures to combat violence against women, including trafficking, at its fiftieth session under the same agenda item.
